

42390P10866

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REMARKS

Claims 1-24 of the application stand rejected. Applicants respectfully request reconsideration of pending Claims 1-24 in light of the amendments and remarks herein.

35 U.S.C. §103

Claims 1-24 stand rejected under 35 U.S.C. §103 as being unpatentable over the combination of Matsuda, U.S. Patent No. 6,346,956 ("Matsuda") in view of Suzuki et al., U.S. Patent No. 5,736,982 ("Suzuki"). Applicants respectfully traverse the Examiner's rejection.

Matsuda describes a three dimensional virtual reality space display processing apparatus, method and information providing medium. Suzuki describes a virtual space apparatus with avatars and speech. The Examiner concedes that Matsuda does not teach the method of determining distances between the objects and a point in virtual three-dimensional space or the prioritization of the objects based on distances and identities of the objects and then selecting the target object from among the objects based on priority. The Examiner suggests, however, that it would have been obvious to one of ordinary skill in the art to combine the teachings of Matsuda with Suzuki to do so. Applicants respectfully disagree.

Applicant submits that the references cannot be combined in the manner suggested by the Examiner. The mere fact that both the references relate to virtual space does not render the combination obvious. In other words, the fact that the combined references *may* provide a benefit does not render the combination of the references obvious or proper. As set out in M.P.E.P. § 706.02(j), "(t)here must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings." Applicant respectfully submits that there is no such motivation.

The Examiner states, without support, that it would have been obvious to combine Matsuda with Suzuki to render other elements of the claimed invention unpatentable. The Examiner gives no explanation as to the motivation to combine these references other than the fact that the combination would "create a method in which distance

42390P10866

PATENT

information between objects is maintained for tracking purposes and selection purposes based on selectivity/priority". Applicants respectfully submit that this does not suggest a motivation, merely a result. There is not teaching in either Matsuda or Suzuki to actually suggest this combination. As previously stated, the mere fact that the combination *may* provide an advantage does not prima facie mean that the combination is obvious. More importantly, there is no teaching in either reference to suggest that it would have been obvious to one of ordinary skill in the art to combine the references in the manner described by the Examiner. Applicants therefore respectfully submit that the combination of these references is improper and respectfully request the Examiner to withdraw the 35 U.S.C. § 103 rejections to Claims 1-24.

Even assuming arguendo these references were properly combined, Applicants respectfully submits that the combination of Matsuda and Suzuki does not render Claims 1-24 unpatentable. As previously stated, the Examiner concedes that Matsuda does not teach the method of determining distances between the objects and a point in virtual three-dimensional space or the prioritization of the objects based on distances and identities of the objects and then selecting the target object from among the objects based on priority. The Examiner suggests that Suzuki teaches these elements. Specifically, the Examiner submits that Suzuki, Col. 10, lines 15-40, Col. 15, lines 32-48 and Col. 29, lines 6-10 teach these elements not taught by Matsuda. Applicants respectfully disagree.

First, Suzuki, Col. 10, lines 15-40 appears to discuss how to calculate distances *between avatars*. It does not, however, teach the claimed element of "determining distances between *the objects and a point in virtual three-dimensional space*", as claimed. There is also no teaching or suggestion in this section of prioritization based on distance *and identities*, or selecting target objects based on priority. Similarly, Suzuki, Col. 15, lines 32-48 discusses how "concentric circles are drawn about the avatar A1 and the voices of avatars in circles of smaller radii are graded up to higher levels of quality". Again, this section of Suzuki does not teach or suggest determining distances between the objects and a point in virtual three-dimensional space, or selecting target objects based on priority, where the priority is based on distance *and identities*. Finally, Suzuki, Col. 29, lines 6-10 claims an apparatus including a "means which selects, for each avatar, those of the other avatars whose distances therefrom are within said threshold value and which are

42390P10866

PATENT

present in the field of vision of said each avatar." Once again, Applicant respectfully submits that this section of Suzuki makes no reference to determining distances between the objects and a point in virtual three-dimensional space, or prioritization of the objects based on distance *and identities*. Neither is there any teaching about selecting target objects based on the determined priority.

In summary, Applicants submit that Suzuki does not teach or suggests the necessary elements to render the claimed invention unpatentable. Even if combined with Matsuda, the references do not teach or suggestion various elements of the claimed invention. Applicants therefore respectfully submit that neither of these references render the independent claims unpatentable. Similarly, for at least this reason, the references cannot render all claims dependant on these independent claims unpatentable. In addition, many of the dependant claims include the aspect of "link" and "non-link" objects, which are not taught by either Matsuda or Suzuki, alone or in combination. Applicants therefore respectfully request the Examiner to withdraw the rejection to Claims 1-24 under 35 U.S.C. §103.

42390P10866

PATENT

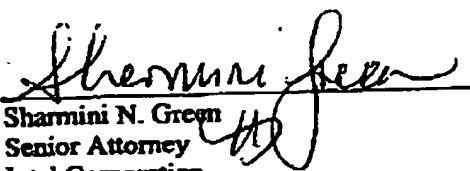
CONCLUSION

Based on the foregoing, Applicants respectfully submit that the applicable objections and rejections have been overcome and that pending Claims 1-24 are in condition for allowance. Applicants therefore respectfully request an early issuance of a Notice of Allowance in this case. If the Examiner has any questions, the Examiner is invited to contact the undersigned at (310) 406-2362.

If there are any additional charges, please charge Deposit Account No. 50-0221.

Respectfully submitted,

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